

# TULALIP TRIBAL COURT

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## MEMORANDUM

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**TO:** BOARD OF DIRECTORS; NICS; MIKE TAYLOR, RESERVATION ATTORNEY; SHELLY LACEY, GENERAL MANAGER; SHERYL FRYBERG, FAMILY SERVICES; CHIEF GOSS, TULALIP POLICE DEPARTMENT; JANICE ELLIS AND TAMMY BEATTY, PROSECUTOR'S OFFICE; PAULA CORTEZ, HUMAN RESOURCES; MARTIN NAPEAHI, ADMINISTRATION; MARK HATCH, TGA; MOLLY COHEN, DEFENSE CLINIC

**FROM:** TULALIP TRIBAL COURT JUDGES

**SUBJECT:** SECOND QUARTER REPORT--2010

**DATE:** JULY 23, 2010

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This report covers the Second Quarter of 2010, from April through June.

### **I. Quarterly Statistics.**

TULALIP TRIBAL COURT			
ACTIVITY REPORT FOR THE PERIOD			
APRIL THROUGH JUNE 2010			
Types of Cases	Filed	Disposed	Total Pending
Criminal Involving Alcohol	4	7	23
Criminal Involving Drugs	11	6	19
Criminal Involving Domestic Violence	11	5	20
Criminal Involving Fishing	7	2	1
Criminal General (not in above categories)	25	23	142
<b>TOTAL CRIMINAL CASES*</b>	<b>58</b>	<b>43</b>	<b>205</b>
<b>TRAFFIC TOTALS:</b>	<b>258</b>	<b>200</b>	<b>200</b>
Civil Anti-Harassment	5	3	24
Child Support**	2	1	97
Civil Child Custody	6	0	180
Civil Divorce	5	1	93
Civil Employment	6	2	26
Civil Gaming	6	0	19
Civil General	30	7	382
Civil Guardianship	16	4	177
Civil Paternity	0	0	13
Civil Restraining Order	13	4	78
Civil Youth in Need of Care	26	18	208
<b>TOTAL CIVIL CASES</b>	<b>115</b>	<b>40</b>	<b>1229</b>
Total for Quarter***	431	283	1842

- \* **Criminal & Traffic totals Separate for 2010**
- \*\* **New Category for 2008**
- \*\*\* **Other Types of Cases included in Total Numbers**

**Narrative of Statistics:** The second quarter of 2010 continues to show the increase in traffic. In the first 6 months of 2010, 554 traffic have been filed and only 643 were filed for all of 2009. The second quarter continues to show a decrease in criminal filings from 2009, and about the same number of civil cases. In the second quarter the Judges heard 2267 hearings for a six month total of 4696 hearings. If the number holds, the court will complete about 1000 more hearing in 2010 than in 2009. In addition, the Court held 2 criminal jury trials in the second quarter for a total of 6 this year. The Court held its first multiple week jury trial in this quarter.

## **II. Narrative of Activities:**

- A. **COURT ACTIVITIES NOT REFLECTED IN STATISTICS:**
  - 1. **Wellness Court:** The Court continues to process and accept new clients. A total of 3 clients remain in Wellness Court, with one client in Stage 3 and one in Stage 4 and a new client just beginning Wellness Court. Two new clients have been screened in and are awaiting their final approval for entry.
  - 2. **Elders Panel:** The Elder's Panel continues to meet at least twice a month. The meeting time has moved to Monday morning. The numbers for Elders Panel have substantially increased. Currently they are serving approximately 6 active clients and have attempted to serve at least 3 more this quarter. The Elders are proposing to expand their services to include "at-risk" young persons on a voluntary basis and the Court is exploring the development of rules for such a program.
- B. **MEETINGS AND TRAININGS:**
  - 1. **Law and Justice Committee:** The attorney discipline rules proposed were adopted this quarter. Coordination is continuing on the move of the police department and the beginning of planning for a new facility.
  - 2. **Court Staff Meetings:** The court had substantial staffing issues this quarter. However, the Court Director arranged a variety of on-call and job training persons to assist. The Director has obtained funding and expects to hire a new clerk next quarter.
  - 3. **Juvenile Diversion Panel:** Judge Bass continues to be involved with the implementation of a Tulalip Community Panel for tribal youth on diversion. They met with approximately 6 youth this quarter and meet once a month at the Courthouse.
  - 4. **Judge Pouley** was presented an award by Women of Color Empowerment for Excellence in the Law in May of 2010 and Tulalip sponsored a table for the event. Judge Pouley also was a presenter at the 5<sup>th</sup> Annual Diversity Conference on Judges and Diversity in June.

- C. PROJECTS IN PLANNING AND DEVELOPMENT:
1. Juvenile Justice: The Court continues to gather information about Tulalip Youth involved in the State Court system. This information will continue to be gathered throughout the year for potential action requests for 2011.
  2. Jury Planning: The Court is continuing to monitor and improve its jury system. The reviewing and assessing the recent two week long jury trial. With the assistance of all departments, the Court had over 75 jurors appear for jury selection.
  3. Federal Law and Order Act: The federal Law and Order Act has recently been passed by both the US House and Senate. The President issued a statement supporting the Act. Thus, it is possible the bill which extends tribal court authority may be in effect this year. The Act has a variety of requirements that Tulalip must meet to exercise the Court's extended authority. The Court plans on bringing a summary of the requirements and seeking Board approval to proceed next quarter.

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